

24-007 FC

FILED FOR RECORD
SHELBY COUNTY, TEXAS

NOTICE OF FORECLOSURE SALE 2024 APR 26 PM 1:09

April 26, 2024

JENNIFER L. FOUNTAIN
COUNTY CLERK

Deed of Trust ("Deed of Trust"):

BY _____ DEPUTY

Dated: November 15, 2022

Grantor: James E. Jones

Trustee: Matthew D. Mettauer

Lender: CCP Property Management, LLC

Recorded in: Instrument No. 2022006159 of the real property records of Shelby County, Texas

Legal Description:

BEING 0.63 acre of land, more or less, a part of the CHARLES LINDSEY SURVEY, A-417, Shelby County, Texas, and being the land described in the Warranty Deed from L.T. McClelland wife, Billie Marie McClelland to Charley L. Ister, Jr., dated July 22, 1954, recorded in Vol. 330, Page 47, Deed Records, Shelby County, Texas, and being described by metes and bounds as follows, to-wit:

BEGINNING at a point on the NEBL of said 2.5 acre tract, an iron stake for this corner point, being on the SW margin of the present Shelbyville and Patroon Hwy #87, right-of-way. This corner point being S. 48 deg. 35 min. E. 1,148 ft., from the extreme North corner of said 2.5 acre tract which is the point where SW margin of said Highway intersects the middle of Bell Creek; (A 14 Inch pine mkd X, brs. N. 35 deg. 45 W. 53.3 ft.);

THENCE S. 48 deg. 35 E. 208.7 ft., along the SW margin of said Hwy, ROW as being the NEBL of said 2.5 acre tract to a point on same, an iron stake for this corner point (a 13 inch pine mkd. X brs. N. 7 deg. 45 W. 20.7 ft.);

THENCE S. 41 deg. 25 min. W. 137 ft., through said 2.5 acre tract to a point on its SWBL which is on the NE margin of the old Shelbyville and Patroon dirt road, an iron stake for this corner point on an old fence row as being the recognized NEBL of the Walter McClelland 100 acre tract;

THENCE N. 45 deg. 35 min. W. 209 ft., along the NE margin of said old Shelbyville and Patroon dirt road as being the recognized division line between said W. McClelland and L. T. McClelland tracts to a point on same, an iron stake for this corner point;

THENCE N. 41 deg. 25 min. E. 126 ft., through said 2.5 acre tract to the Place of Beginning, containing 0.63 acre of land, more or less.

Secures: Real Estate Lien Note ("Note") in the original principal amount of \$37,500.00, executed by James E. Jones ("Borrower") and payable to the order of Lender

Foreclosure Sale:

Date: Tuesday, June 4, 2024

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 a.m. and not later than three hours thereafter.

Place: Front steps of the Shelby County Courthouse located at 200 San Augustine St., Center, Texas 75935

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that CCP Property Management, LLC's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, CCP Property Management, LLC, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of CCP Property Management, LLC's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with CCP Property Management, LLC's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If CCP Property Management, LLC passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

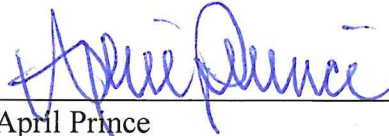
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by CCP Property Management, LLC. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "**AS IS,**" **without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust.** Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.



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